

## **REMARKS**

In the Office Action issued April 21, 2004, all pending claims 1-12 were rejected. In response thereto, claims 1, 3-9 and 12 have been amended and claim 2 has been cancelled. Upon entry of this amendment, claims 1 and 3-12 remain pending for the Examiner's consideration.

### **Rejections Under 35 U.S.C. § 102**

Claims 1 and 4-7 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lankenau (U.S. Patent No. 711,981). This rejection is respectfully traversed.

Independent claim 1 has been amended herein specifically to recite that the sheet includes an elastic member that circumscribes the seat portion.

The cited reference neither discloses nor suggests a seat cover that includes an elastic member that circumscribes the seat portion. Accordingly, the cited references cannot anticipate (or render obvious) independent claim 1, as amended.

In addition, claim 1 recites the limitation that the seat portion comprises at least one passage, wherein the passage is adapted to permit a child's legs to pass through the first sheet. The Action appears to assert that this feature is disclosed in Lankenau. Applicant traverses this assertion. The Lankenau seat cover lacks passages that permit a child's legs to pass through the first sheet. Instead, the Lankenau seat cover comprises a larger sheet having several smaller sheets which are separable from the larger sheet by perforations. Thus, when the smaller sheets are torn along the perforation, they are completely removed from the larger sheet and therefore cannot create a passage for receiving a child's legs.

Since dependent claims 4-7 include all the novel features of claim 1, the amendment of claim 1 also obviates the rejection of dependent claims 4-7 under 35 U.S.C. § 102. Withdrawal of this rejection of claims 1 and 4-7 is respectfully requested.

Claims 8 and 10-12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Lankenau (U.S. Patent No. 711,981). This rejection is respectfully traversed.

Independent claim 8 has been amended herein specifically to recite that the sheet includes an elastic member that circumscribes the seat portion. The cited reference neither discloses nor suggests a seat cover that includes an elastic member that circumscribes the seat portion. Accordingly, the cited references cannot anticipate (or render obvious) independent claim 8, as amended.

In addition, claim 8 recites the limitation that the seat portion comprises at least one passage, wherein the passage is adapted to permit a child's legs to pass through the first sheet. T The Action appears to assert that this feature is disclosed in Lankenau. Applicant traverses this assertion. The Lankenau seat cover lacks passages that permit a child's legs to pass through the first sheet. Instead, the Lankenau seat cover comprises a larger sheet having several smaller sheets which are separable from the larger sheet by perforations. Thus, when the smaller sheets are torn along the perforation, they are completely removed from the larger sheet and therefore cannot create a passage for receiving a child's legs.

Since claims 10-12 include all the novel features of claim 8, the amendment of claim 8 also obviates the rejection of dependent claims 10-12 under 35 U.S.C. § 102. Withdrawal of this rejection of claims 8 and 10-12 is respectfully requested.

### **Rejections Under U.S.C. § 103**

Dependent claims 2 and 3 were rejected under U.S.C. § 103(a) as being unpatentable over Lankenau in view of U.K. Patent No. 2,049,758. The Examiner asserts that Lankenau shows all the claimed features of the instant invention with the exception of the means for securing the cover to an underlying seat structure (claim 2) and an adhesive strip secured to the back side of the first sheet of material (claim 3). The Examiner then asserts that UK teaches the concept of providing a seat cover with a means for securing the cover to an underlying seat structure, wherein the means is an adhesive strip secured to the back side of the sheet of material forming the cover, and further asserts it would have been obvious to have modified Lankenau in view of the teachings of the UK patent by adding an adhesive strip. This rejection is respectfully traversed.

Claim 2 has been cancelled, and claim 3 depends from amended claim 1 which, as discussed above, is novel and nonobvious in view of Lankenau. That is,

claim 1 as amended includes the limitation that the seat cover includes an elastic member that circumscribes the seat portion. The cited references, alone or in combination, neither disclose nor suggest an elastic member that circumscribes a seat portion. Accordingly, the cited references cannot render amended claim 1 obvious. Claim 3 includes all the novel features of claim 1, and therefore the cited references also cannot render dependent claim 3 obvious.

Claim 9 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Lankenau in view of U.K. Patent No. 2,049,758. The Examiner asserts that Lankenau shows all the claimed features of the instant invention with the exception of an adhesive strip secured to the back side of the first sheet of material. The Examiner further asserts that U.K. Patent No. 2,049,758 teaches the concept of providing a seat cover with a means for securing the cover to an underlying seat structure, wherein the means is an adhesive strip secured to the back side of the sheet of material forming the cover, and further asserts it would have been obvious to have modified Lankenau in view of the teachings of the UK patent by adding an adhesive strip. This rejection is respectfully traversed.

Claim 9 depends from amended claim 8 which, as discussed above, is novel and nonobvious in view of Lankenau. That is, claim 8 as amended includes the limitation that the seat cover includes an elastic member that circumscribes the seat portion. The cited references, alone or in combination, neither disclose nor suggest an elastic member that circumscribes a seat portion. Accordingly, the cited references cannot render amended claim 8 obvious. Claim 9 includes all the novel features of claim 8, and therefore the cited references also cannot render dependent claim 9 obvious.

## **Conclusion**

In view of all of the above, the pending claims are believed to be allowable and the case in condition for allowance, which action is respectfully requested.

The fee associated with the filing of a Petition for a One Month Time Extension is submitted herewith. Should any additional fees be due, the Examiner is authorized to charged Deposit Account No. 50-1123.

Respectfully submitted,

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Dated

  
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